

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEPHEN SMITH,

Defendant.

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8:06CR403

ORDER

This matter is before the court on defendant's motion for extension of time to file pretrial motions [12]. Defendant has filed a speedy trial waiver. For good cause shown,

IT IS ORDERED:

1. Defendant's motion [12] is granted.
2. The deadline for filing pretrial motions is extended to **March 9, 2007**.

3. The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **February 5, 2007 and March 9, 2007**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of defense counsel and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

DATED February 7, 2007.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**